



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

3 North Lowell Rd., Windham, New Hampshire 03087

(603) 432-3806 / Fax (603) 432-7362

www.WindhamNewHampshire.com

Draft Planning Board Minutes

Wednesday, May 20, 2015

7:00pm @ Community Development Department

Board Members

Alan Carpenter	Chairman	Present	Joel Desilets	Selectman	Excused
Paul Gosselin	Vice Chair	Present	Ross McLeod	Selectman/Alternate	Present
Kristi St. Laurent	Member	Present		Alternate	Present
Ruth Ellen Post	Member	Present	Kathleen Difruscia	Alternate	Excused
Margaret Crisler	Member	Present	Matt Rounds	Alternate	Present
Dan Guttman	Member	Present			

Staff:

Elizabeth Wood, AICP, Community Planner

Suzanne Whiteford, Minute Taker

Chair Carpenter called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance, member attendance, and introduction of new alternate board members, and recognition of a successful plant sale by the Garden Club this past Saturday May 16, 2015.

WWPD Marker Administrative Change

Case#2014-27/ Barber Lot Line Adjustment

Summary of Letter to the Planning Board from Elizabeth Wood dated 5/15/15 R/E Case#2014-27:

- The owners of 102 & 106 Kendall Pond Road (1-C-625, 650) requested the Planning Board reconsider the requirement of WWPD markers placed on the property, in accordance with Zoning Ordinance **601.39.1**
- Per the **Barber Lot Line Adjustment** recorded Subdivision the wetlands are not part of the wetlands exceeding 1 acre as previously perceived when the subdivision was originally approved.
- The wetlands are less than one acre in size and have been verified by a licensed wetland scientist.
- This letter has been placed in the Planning Board File

Board Discussion:

- Mr. Guttman inquired about the re- measurement size, what is the absolute size of the currently delineated area as measured by Gregsak Engineering, asked staff if the Barber Lot Line Adjustment map currently being viewed is the original or a new map. Ms. Wood confirmed the map is the original.
- Chair Carpenter confirmed with staff that the measurement of the wetland was confirmed by Gregsak Engineering
- Mr. McLeod clarified the wetland measurement was certified by a wetland scientist as less than one acre
- Ms. Wood confirmed the measurement of the wetland was certified by a wetland scientist

- Ms. Post inquired about the owners wishes regarding the WWPDP markers. Ms. Wood clarified the owners requested the WWPDP markers to be removed.
- Ms. Wood explained the Town does not have any experience with Gregsak Engineering; the town's legends does not have standardized symbols to mark WWPDP. The symbol Gregsak Engineering used to indicate their wetland boundary or setback boundaries are typically used by other engineers (the Town has experience with) to indicate a WWPDP boundary. The Planning Board and Town staff interpreted the symbol used by Gregsak Engineering to indicate wetland/setback boundaries as WWPDP demarcation. At a later date Gregsak Engineering's wetland scientist pointed out that the area is less than an acre. Ms. Wood pointed out the notation on the subdivision map stating the area is less than one acre
- Mr. Guttman questioned the confidence of the map if Gregsak Engineering's marking capability was not using standard mapping delineations
- Ms. St. Laurent clarified the original plan which is the same plan in front of the Board now, indicates the wetlands are less than one acre; there is a question as to which part of the wetland is included in the measurement: the contiguous part or just the center?
- Ms. Wood verified the plan is the same, and the statement on the map indicating the wetland is less than one acre contradicts the symbol which is typically used for WWPDP demarcation.
- Chair Carpenter expressed concern is with interpretation of measurement as the entire wetland area as less than one acre.
- Chair asked for public input. No input from the public.
-

Motion by Mr. McLeod to have the one plus acre wetland restrictions removed from the property recognizing that 601.4.8.4.1 no longer applies.

Second by Ms. Post

Discussion on the Motion:

- Ms. Crisler expressed discomfort in voting without receiving confirmation that the wetland in questions which extends off the property is larger than one acre.
- Mr. McLeod pointed out the map shows the wetland encroaches on lot 600 and the designation by the certified wetland scientist recognizes the encroachment onto the neighboring lot and the entire WWPDP in the area is less than one acre.

Vote: 5-2-0. Ms. Crisler and Mr. Guttman opposed

Motion Carries

Public Hearing (Continued from 4/15/15)

Case#2015 -3/Final Review/Major Open Subdivision/WWPD Special Permit

A Final Subdivision Application for a Major Open Space Subdivision, Wetland and Watershed Protection District Special Permit Application (WWPD), and Cobbetts Pond and Canobie Lake Watershed Land Development Application have been submitted for property that is accessible by Settlers Ridge and Glendenin Roads (Lots 25-R-6000, 6250, 6260, 7000, 7050, 8002, 8005, 8010, and 9000), located in the Rural District Zone, Wetland and Watershed Protection District, and Cobbetts Pond and Canobie Lake Watershed Overlay Protection District. The applicant, Edward N. Herbert Assoc., Inc., on behalf of the property owner, Wood Meadow Land Development, LLC, is proposing to merge the eight (8) existing lots and then to subdivide them into thirty-nine (39) lots for single-family development and twelve (12) open space lots. The proposal includes the creation of new roads. The WWPDP Special Permit is for several proposed road crossings and driveways for a total permanent impact of 92,293 sq. ft. for the Open Space Subdivision proposal. Individual well and septic systems are proposed for service of each lot. A written waiver request has been submitted from Section 605.5 of the Subdivision Regulations.

Chair Carpenter asked Mr. Zohdi if the plans in front of the Board have any changes made to them.

Mr. Zohdi confirmed the plans are the same without any changes made from the original plans from 4/15/2015

Ms. Post: Is this a continuation of the design review held on 4/15/2015?

Ms. Wood and Chair Carpenter: clarified this is not a design review, this is a continuation of an open public hearing.

Ms. Wood: This set of plans in front of the Board were revised on May 1, 2015

Chair Carpenter again asked Mr. Zohdi about the changes made to the plans since April 15, 2015

Mr. Zohdi described two changes made to the plans since April 15, 2015: 1. The open space the _____, 2. A large sign was installed at the beginning of the project as requested by staff. Would like to make some changes to the center of the road, and present a proposal regarding the cul-de-sac at the end of Settlers Ridge Road. The cul-de-sac proposal has not been reviewed by highway safety yet.

Chair Carpenter opened the hearing to the public

Jed Callen, Esq. BCM Environmental & Land Law, PLLC

Representing 54 Abutters and near neighbors of the proposed development, who own and reside on Settlers Ridge, Poplar, Sagamore, Butternut Appleton, Bayberry, Cristy, and Squire Armour Roads.

List of clients, Objections to Case #2015-3: "Wood Meadow Estates" submitted to Planning Board

Summary of objections as detailed in above mentioned memo:

Wetland and Watershed Protection District (WWPD)

- Referenced Zoning Ordinances 601.4.8, 601.3.8 subsections 2 and 3, 601.4.8.3, and Section 601.1.1,
- The current plan maximizes the number of lots, and does not minimize encroachment and disruption.

Cobbetts Pond and Canobie Lake Watershed Protection Ordinance (WPOD)

- Referenced Zoning Ordinances: 616.8.3, 616.6.1.1, 616.7, and 616.7.3
- The Plans do not clearly delineate the subdivision is located outside the required buffer zone.
- A hydrologic study has not been conducted.

Water Supply Issues

- Referenced Subdivision Regulations: 101.7, 101.3, and 601.27.
- The area is well known by NHDES and by the Town of Windham as having serious water problems
- Clients concerned over water supply issue due to their concerns for their own wells and drinking water.
- Spreadsheet summarizing data on wells located on Bayberry, Butternut, Cristy, Poplar, Settlers Ridge, and Squire Armour Roads in Windham. .
- Data contained within the spreadsheet was "acquired" from Richard Schofield, DES's Water Well Program Manager.
- Data summarized from the spreadsheet illustrates the area sits on a deep bedrock dome, with depths to bedrock ranging from 1.5 and "almost all with less than 10 feet to bedrock."
- "...the chance of a well hitting an adequate supply of potable water, at a reasonable depth, is best described.....as a 'crap shoot'."
- October 3, 2005 Board of Selectmen meeting referenced and attached to memo as a source to demonstrate Town's knowledge of existing water supply issue with some of Mr. Callen's current clients.
- Concern for potential impact on clients' existing wells from blasting
- Concern that proposed lots will not provide legally adequate water supplies at affordable depths.
- Mr. Zohdi acknowledged existing legal responsibility at the march 4, 2015 meeting as noted on meeting minutes, page 7.

Summary (as listed in memo to The Board)

1. The Board should require Applicant to perform and submit a Hydro-Geologic Study, to determine the likelihood that each of the 39 Lots will have an adequate yield of potable water; and if not, the feasibility of providing such with a Community well or wells.
2. The Board should consider the results of such Study, and is own expert's review of same, in determining whether to require that this subdivision be served by a Community Well or Wells.
3. If the Board rejects the requirement for a Community water system, the Board should require, as a condition of Subdivision Approval, that Applicant drill, finish, test, and obtain a Windham Well Permit for each Lot, before he may sell such lot. This puts the risk on the Applicant/developer, instead of transferring it to the innocent buyer.

4. The Board should condition approval on the applicant's accepting financial responsibility for any damages to neighbors' homes, foundations, and wells caused by Applicant's blasting and other construction activities.
5. Require the road to be moved out of the WWPDP.

Board Discussion:

Mr. Gosselin: town engineering group, Keech Nordstrom did a review on the plan and supported the number of lots and indicated the design as presented complies with the WWPDP minimization. The town engineer's opinion is different from your opinion, and how is that reconciled?

Mr. Cullen: Can't explain why Keech feels the plan minimizes, there is no good definition of 'minimize', 39 lots are permissible, the design includes full intersection entirely in WWPDP to save 6 lots is valuing lots more than valuing wetland protection; which is not minimizing, it is accommodating what the developer wants.

Ms. Post: With regards to the hydrogeological study issue a memo from town engineer Mr. Keech indicates the study requirement was met in connection with Canobie/Cobbett's Pond Watershed protection ordinance; you are requesting a hydrogeological study for a different purpose which is water supply from the underground.

Mr. Cullen: Requesting a hydrogeological study for the purpose of seeing if there are wells producing variable yields. The study can tell you the feasibility of a community well, the feasibility of adequate water for 39 lots and predict if this is or is not a suitable subdivision.

Mr. McLeod: you're making it look like there is a massive problem because of the variance, seems the purpose of pointing out the variance is sensationalism, the data shows all the wells, except one, meet the town's yield requirement of 2 gallons per minute; are the wells in the data actually in use as the residents' primary wells or does the data include abandoned wells?

Mr. Cullen: point out the variance to show some people are getting low yields at phenomenal depths which means great expense and bad water supply, some other nearby wells have high yields indicates community wells may be the solution; the data includes all drilled wells reported to DES water well board, it does not include wells that predated the DES requirement (refer to page 2, footnote 1), the data does not differentiate between wells in use and abandoned wells.

Mr. Guttman: is there a universally accepted standard for well volume per house?

Mr. Cullen: The Town's minimum is 960 gallons every 4 hours with a minimum recharge rate of 2 gallons per minute, the standard covers volume + recharge rate

Mr. Rounds: What is the average depth and yield of a well in Windham?

Mr. Cullen: doesn't know

Abutters Comments:

Jeff Martin, 16 Settlers Ridge:

- No relevance to identify primary and abandoned wells.
- Blasting on Cristy Road
- When Settlers Ridge was built there were no well requirements, once a well was drilled a CO (certificate of occupancy) was issued. If a resident lost their well there was no recoding of the event with the town.
- Initial well came up with radon level of 800, after blasting on Cristy Road the waters changed, the radon level increased to 4200, had to install a complete water filter system, is there an option to use a rock hammer VS blasting?

- How were school impact fees calculated? Prior impact fees didn't cover the overcrowding, we clearly have a school problem.
- We have overcrowding , for example my 9 year old is in high school due to overcrowding
- School overcrowding needs to be considered with development and impact on school volume. Request the Boards work together to look at the school overcrowding issue.

Chair Carpenter: we are not in a position to discuss school impact fees tonight. There is a joint school board meeting scheduled for July 29.

Ms. Post: complex methodology for calculating school impact fees which are public and are available on the Town web site.

Mr. Guttman: Both the document and high level power point over view were requested to be available on the Town web page

Nancy Lafferty, 8 Cristy Road

- These water issues are very real and significant
- people have had to redrill, some toggle between 2 wells
- Worried about the domino effect.
- When someone blasted she lost her water and it cost \$18,000 in 2011 to restore water.
- Live in fear of losing water when someone puts in a pool or blasts for any reason
- Described neighbors losing their wells and associated costs to restore their wells
- Service has been denied by local well companies.
- Significant costs to repair/replace wells.
- Every time someone blasts to put in a swimming pool there is a risk to damaging her well.
- Significant cost to fix/repair wells.
- Her well company says there is a better shot of maintaining existing wells if the new development has community wells.
- want protection from undue burdens of expense

Glenn Bolduc, 9 Poplar Road

- Concern about schools and lack of facilities
- Experience as a school board member for Hollis-Brookline
- Many went to schools out of town
- Had to move children out of the public school system to private schools
- Currently Windham has 3 classrooms of third graders being taught in the high school
- Not good mixing 8&9 year olds with 14 – 18 year olds.
- Ask the Planning Board to coordinate with the School Board and Selectmen before approving a large development subdivision.
- The new homes are likely to be 2-6 people per family.
- Families with younger children are usually drawn to these developments and likely increase 100-200 students to the current student body.
- An undue burden to a school system that cannot handle the current volume.
- Many similarities between Hollis and Windham.

Ms. Crisler: The Planning Board met with the School Board, Planning Board wanted to proceed with a growth management ordinance, and the School Board voted 3-2 in support of a growth management ordinance, no funding per the selectman. Basically preaching to the choir. Future development is a concern and frustration to the Planning Board.

Mr. Guttman: packet available online in association with the impact fees

Mr. McLeod: Pointed out that he was one of the 5 members on the unanimous Selectman Board that rejected the funding for the growth management ordinance which was based on the fact that the School Board never stated they had a capacity situation that precluded them from being able to provide adequate education.

Diana Jeans, 3 Poplar Road

- Do not have growth management ordinance
- Dependent on the Planning Board to make thoughtful decision regarding the pace and pattern of future development
- Summarized the Windham Master Community Plan survey
- The survey highlighted 4 priority items to the residents
- Protect the quality and quantity of drinking water of Windham, protecting wetlands, decreasing the rate of residential growth, and maintaining town charm.
- Response to one thing to change: less residential development, more tax revenue from businesses to decrease the tax burden to residents
- Response to identify one vision for Windham: small town charm and slow residential development
- Use results of Windham when considering approval for Wood Meadows Estate Development
- Concern regarding blasting as it is within 100 feet of her home need to document current status.
- The expenses occurred to protect property should be included in the preblasting survey required by the blasting ordinance of Windham occurred.
- Does the development meet the spirit and intent of the Planning Board Survey or does the plan need to be modified?

Paige Duncan, 21 Settlers Ridge Road

- Met with one abutter, the Chief of Police, Fire Chief, Deputy Fire Chief, Ms. Wood and Mr. Zohdi, regarding the cul-de-sac at the end of Settlers Ridge Road
- Hand out a pic of the area with the cul-de-sac
- Desire to keep the island and modify the road by adding a calming mechanism for traffic
- Need to slow traffic
- The island is not in the center of the road
- Chief of police felt drivers would take the shortest route and not go around the island
- Mr. Zohdi presented plans that would move the island and require land from abutter
- No agreement has been reached with regards to what to do with the island\
- Currently owns a portion of the cul-de-sac and the town has an easement to the area
- Desire the street frontage remains as is
- A change in the island will result in an increase of land to care for by the resident
- Taxes will increase, driveway will need to be extended, plowing bill will increase
- Do not want additional costs due to developments, and ask the developer to pay for necessary changes:
- Ask for current mailbox be moved to a new location as identified by the residents
- 4 inches of loam be put down
- New area integrate with existing area and flow smoothly
- Identify where the new driveway entrance will be located and have entire driveway done to look like one driveway without seams or different color
- No impact to current infrastructure
- Current existing grate
- New location to drain water
- Additional half acre of grass at the entrance of their home and extended irrigation system will cost \$4000
- Asking for \$4500 landscaping from Delahunty to plant trees and maintain landscaping as it is today

Gary Sakland, 2 Sagamore road

- Concerns with preblast inspection costs
- Developer absorb all costs associated with pre-blast inspection costs/fees.
- Asking the Planning Board to have the developer to absorb the cost for pre-blasting inspections and post-blasting damages
- Common business sense
- We all live in the town together. At the end of the day what's best for everyone involved?

Mr. Guttman: how close is your well to the blasting site?

Mr. Sakland: 80 feet

Mr. Guttman: there's a 500 feet well ordinance regarding blasting

Alan Syracuse, 20 Settlers Ridge Road

- 300 feet of frontage
- New development changes the whole complexion of the neighborhood
- During the site walk, many old trees and growth
- This development is literally in my back yard
- Any provisions to keep some foliage in place
- End up with wide open space where beautiful wooded area currently exists
- The builders take responsibility for preliminary surveys
- Pre blasting provision for monitoring of wells and foundations through the entire development
- Planning Board has the provisions as part of the plan

Angelina McGlasham, 6 Settlers Ridge Road

- How much is the radius who qualifies for the studies?
- Farthest away from 2005 blasting and lost water
- What radius is going to covered

Charlene Sousa, 3 Sagamore Road

- Moved to Windham from Arizona.
- Concerned windham is losing its quaintness
- Why people move to NH, why we stay

9:14pm, 5 minute recess

9:20, meeting resumed

Dan Parent, 14 Settlers Ridge Road

- Moved here in 2001 and built a new home
- Within 4 months of living in new (dream) home we lost water
- Shared water from neighbor until second well could be drilled
- Drilled a second well over 1000 feet with an inadequate amount of water per minute
- Excessive expense
- A home without water is significant
- We were fortunate enough to get water back
- What happens to the homes that don't get water back?

- I love this town, my children are raised here, and they love this town, what happens when we don't get water back?

Michelle Saklad, 2 Sagamore Road

- Research with blasters in NH mention cowboy blasters.
- Builders will bring in cowboy blasters that are cheap
- Request a higher quality blaster with protection due to the close proximity of blasting
- Request clean up to the homes of significant dust from the blasting
- Installing privacy trees and lining the streets with trees to help maintain curb appeal
- Char Carpenter asked where would you put the trees
- Line Glendenin

Paige Duncan, 21 Settlers Ridge Road

- Road will abut to the front of the property
- Requesting the midline of Settlers Ridge Road and go straight
- Septic System and leeching is close to the property line
- Concern for the new road and its proximity to the current septic and leech field
- Request to maintain trees in front of house

Alan Syracuse, 20 Settlers Ridge Road

- The construction traffic and dust and debridement
- Keep the streets clean
- Dust mediation in place
- Evaluate the roads and make sure they are not being damaged by heavy construction and repaired and restored if damage occurs

9:34pm Hearing closed to public input

Mr. Zohdi introduced Bruce Lewis

Bruce Lewis

- Lewis Engineering
- In business since 1986 specializing in water works and water supply design, construction of small community well systems, small municipal projects, and some residential construction
- Water and water supply and quality, won't be talking about blasting
- Most wells are bedrock wells
- Variation in depth, quality, and quantity is all over the board
- Directly identifying fracture zones cannot be determined due to the nature of bedrock (granite) wells.
- Regarding situations of wells losing water when work is done adjacent can happen
- Private well ordinance in place for Windham provides protection now, protection later is dependent on the amount of water being used, bedrock, and recharge rate
- Suggests following the ordinance
- Average home in NH in this area is approximately 200 gallons per day or less, dependent on how many people live in the home
- 150 gallons per bedroom per day are design standards based on septic design, not actual amount used, design standards have safety factors built in
- A single family home, with the exception of an in ground irrigation system, puts more than 90-95% of water from the well goes directly back into the ground through the leeching field.

- No direct correlation of what is happening at one home's well because of the bedrock and fractures in NH, that the water going back into the ground is actually recharging the home.
- The quantity of water within the column of a well pump set into a 6 inch well you end up gaining a gallon and a half (1.5 gallons) per vertical foot. If someone had a well pump set 1000 feet and the water level was at 500 feet, you will have 750 gallons per minute in "storage" or a reservoir that you can draw off during the high demand period of the day and the well recharges itself during the day. A 2 gallon per minute well will produce over 2800 gallons of water per day. The greater the reservoir to use during the busy part of the day, the well recharges during the day. A home with a deep well that has a well pump
- Windham has stringent requirements for individual well quality and quantity prior to receiving a CO. If the well does not meet the ordinance the developer/builder is responsible for putting in the right water treatment system to meet the ordinances before a CO can be issued.
- Engineering solutions are available to facilitate when the quantity of water isn't available when needed, Example: build a reservoir in the basement to provide water at high use times

Ms. Crisler: are you a registered hydro geologist?

Mr. Lewis: I am a registered professional engineer, not a hydro geologist

Chair Carpenter: based on your experience, how does this plan lend itself to the installation of a community well system?

Mr. Lewis responded that he has not looked at the property close enough; when installing a community well system the protective radius around a well are mandated by the state of NH as are the design regulations. The state sends a letter to neighbors within the protected radius when wells are being tested inviting them to have their wells tested at the same time. It is part of the protocol to monitor the wells to see if there is any effect. The potential exists but I have not looked at the property closely.

Ms. Post: What standard is 960 gallons every 4 hours (minimum)

Mr. Lewis: 960 gallons every 4 hours is Town of Windham private well testing standard and it is the minimum.

Ms. Crisler: Regulations allow for installation of community wells in the open space. What is the cost of installing community wells? On a past project the cost was \$1 million dollars per mile for installation running down route 111.

Mr. Lewis: The cost will be less than \$1 million dollars

Ms. Crisler: The cost of infrastructure for a community well would not be \$1 million dollars per mile?

Mr. Lewis: the cost would be dependent on the number of wells and the depth of the wells; an estimate would be \$12-\$14 per vertical square foot to install a 1000 foot well in. Additional hundreds of thousands of dollars for infrastructure

Ms. Post: Part of the high cost to install water system along 111 from Penchuck was due to the blasting of bedrock. Would horizontal transporting of water for a community well system require blasing?

Mr. Lewis: When the water line is installed a minimum of about 5 feet of covering is required over the water main lines.

Cathy Poplar, 15 Settlers ridge Road

- Had to buy a stronger pump and sink it deeper in the well
- Recharge during the day is a challenge during the summer when school kids are home

Chair Carpenter: It is also a time when many people are irrigating their lawns

Ms. Crisler: Could a community well help the current residents with their well issues and what would the cost be?

Mr. Lewis: Could be a reasonably expensive proposition running the water line down the street and into individual homes.

Jeff Martin, 16 Settlers Ridge Road: What would the cost be to install 39 individual wells VS a community well?

Mr. Lewis: It is more expensive to set a well pump deeper; Mr. Lewis does not have enough information to answer the question specifically.

Ms. Crisler: A DES expert informed the Planning Board that any time you drill a well below 400 feet you're building storage; if you haven't hit water at 400 feet you're not going to. Based on your experience is that a legitimate statement?

Mr. Lewis: incorrect statement

Jim Gough (not sure how to spell his name)

- With regards to WWPD encroachment by the roadway, as noted during the site walk, the road is winding between the wetlands, some of the wetlands have WWPD because they are contiguous to other areas over an area and some wetlands are isolated. When laying out the road you ideally want to avoid all the wetlands.
- When creating the road and trying to save some of the WWPD will create an unacceptable impact on the wetlands. It is a balancing act. The road is permissible use.
- The intent is to avoid any direct wetland impact.
- With regards to impact to surface and ground water, the plan will be fully reviewed by the alteration and terrain, their goal is the protection of surface and ground water.

Mr. McLeod: Colored in the area on 1B, 65 in orange to show the area of WWPD which was posted on the board?

Mr. Gough: the plan colored in by Mr. McLeod shows the area of WWPD. As you can see a tremendous amount of WWPD has been avoided. There is some WWPD impacted by roadways and some backs of lots. Mr. Zohdi did a great job avoiding wetland and WWPD

Chair Carpenter observations for the Board:

- 92,000 square feet impact of WWPD, just under 2 acres
- 27 acres being developed
- 7 ½ % of the total development is encroachment on WWPD
- Total size of development is a 123 acre total lot
- The encroachment on WWPD would increase with a traditional (not open space) plan

Bob Duncan, 21 Settlers Ridge Road: would the balancing act be easier with less than 39 lots

Chair Carpenter: not necessarily correct. A yield plan on entire 123 acres becomes the threshold the developer can build to in the open space. The 2 acre disturbance is not unusual for this size lot

Ms. Post: Mr. Keech's May 13 memo points out that approximately 1 acre of the 2 acres disturbing WWPD is a result of avoiding further WWPD impact

Gary Sakland, 2 Sagamore Road: Who is responsible for soil testing? Encourage independent group to confirm the validity of the data.

Mr. Gough is responsible for soil testing, and explained soil testing process

Mr. Gosselin: Asked Mr. Gough to speak to his credentialing process and how another company would validate his data, and the process of maintaining his certifications and credibility

Mr. Gough clarified he is not a certified engineer; he is a certified soil scientist and certified wetland scientist and explained the standards used for data validity; data is collected before a design is developed.

Chair Carpenter: asked Mr. Zohdi why he went through the cul-de-sac rather than use the easement?

Mr. Zohdi: move the cul-de-sac 350 feet further from current location, no impact to any abutters, no easement, cost to the town

Mr. Gosselin: the existing cul-de-sac, has there been any conversation with any of the abutters?

Mr. Zohdi: spoke with Ms. Duncan; she didn't like to have the driveway connected to the cul-de-sac because it leaves a seam... Build a driveway exactly the same grade that is there on the abutter go get a price.

Ms. Duncan: met with Mr. Zohdi. Mr. Zohdi agreed to Ms. Duncan's requests if she came before the Planning Board and said she liked the plan. Ms. Duncan would not agree to come before the Board and agree with Mr. Zohdi's plan.

Mr. McLeod: support the proposed relocation of the cul-de-sac to a traffic calming device, support the design, seems to work better when the design is already in place for the people purchasing in the development, there are issues with existing residents and extending an existing cul-de-sac. The concerns of the Duncan family trust with the current cul-de-sac being opened up is not the Board's place to get into the minutia of that, it is a third party commercial transaction that is not something for the Board to dig down into, our place is more conceptually what would we like to see and its up to you guys to work it out.

Chair Carpenter asked the Board if they like the traffic calming device as presented?

Ms. St. Laurent: If the temporary cul-de-sac is taken out, there is a drainage culvert in the area that is to be removed and how would that be handled?

Mr. Zohdi: The drainage easement currently located on Ms. Duncan's property has nothing to do with the development's drainage and it will be left alone.

Ms. St. Laurent asked Mr. Zohdi to verify the drainage easement she is viewing on the plans is correct

Mr. Zohdi verified the existing drainage easement on the plan is correct

Mr. McLeod will rely on Jack McCartney and Chief McPherson, roads guy and fire chief, input to the plan. Chair Carpenter confirmed that neither has seen the plan and polled the Board regarding the way the cul-de-sac has been redrawn pending input from Jack McCartney and Chief McPherson. The Board was unanimously agreeable to the plan pending McCartney and Macpherson's input.

Chair Carpenter feels the Board does play a role in assuring the temporary cul-de-sac post construction is accommodating to the residents as well as the community driving through and is representative of Windham. The Board should conduct themselves in a manner that the finished product is agreeable to the abutters and residents.

Final Board Concerns:

Ms. Crisler: water supply problem for years in this area. Should have a hydro geologist study. Favor community well system. Looking carefully at blasting. Use a rock hammer.

Mr. Zohdi: "Blasting will be very minor"

Ms. St. Laurent: the abutters concerns about the feel of the neighborhood. Suggest that the impact of WWPD and the small lots

Mr. Guttman: request for hydrogeological survey. Current use trails. Dirt trails continue to be useable. Keep the feel of the

Mr. Zohdi: additional trail added after last meeting. Talked to conservation, they would like to have a conservation easement. Conservation commission makes sure the trail easement in the development is for the town people

Mr. McLeod: legal. Does the land belong to the homeowners?

Ms. Post: legal ownership of the open space area. The homeowners have fractional ownership of the open space.

Mr. Zohdi: leave (deed) the open space to conservation

Ms. Post: identify the trails, which ones are being maintained and which ones are being relocated? Mr. Shod identified the trails in question on the plan

- Phasing, how certain that will take place.
- Recommendation from Ms. Wood and neighbors to reduce the number of lots
- Specifically the entrance from Glendin and Settlers Ridge
- Provide a better buffer between the existing neighborhoods and new development
- Windham has a serious well water situation for 8 years there have been problems.
- Shares the anx
- Explore the option of community well system

Chair Carpenter: let's not make a known bad situation worse. Mitigate the risk by taking every measure

Open space

Cul-de-sac

Close attention to blasting

Thank the public

Mr. McLeod motion to continue June 3

Ms. Crisler second

Vote 7-0-0

Motion carries

Mr. Guttman take on spots

Ask Planning Board to adopt-a spot

Ms. Crisler can not

Chair Carpenter will help with an adopt a spot

Mr. McLeod motion to adjourn

Ms. Crisler second

Vote 7-0-0

Meeting adjourned at 10:49pm